

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

2018 JUL 18 AM 11:30

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TAMARA B.,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of Social Security
Administration,

Defendant.

Case No. 5:14-cv-156

DECISION ON PLAINTIFF'S MOTION FOR RECONSIDERATION
(Doc. 37)

Counsel for the Plaintiff in this matter seeks reconsideration of the court's June 22, 2018 decision on fees. Counsel offers as grounds for reconsideration the Supreme Court's recent grant of certiorari in the matter of *Culbertson v. Berryhill*, No. 17-773. In the briefing at the certiorari stage of *Culbertson*, the Solicitor General abandoned the government's position that §§ 406(a) and 406(b) impose an aggregate cap of 25% on a claimant's attorney's total fee. Brief for Respondent at 22–23, *Culbertson v. Berryhill*, No. 17-773 (Apr. 5, 2018).

The government has filed no opposition to the present motion.

The Motion for Reconsideration (Doc. 37) is **GRANTED** as unopposed. This matter will be held in abeyance pending final decision in *Culbertson*. The parties are **ORDERED** to file supplemental memoranda addressing the effect of *Culbertson* within 14 days of the issuance of that decision.

Dated at Rutland, in the District of Vermont, this 18 day of July, 2018.



Geoffrey W. Crawford, Chief Judge
United States District Court